

comprising

[a] water

b) in the case of a paint, pigment and

c) particles of polyester dispersed in the water which polyester contains repeating hydroxyalkanoate units and wherein] a polyhydroxyalkanoate polyester, wherein the composition forms a water-resistant film at ambient temperatures and at least 60 wt% of the polyester particles have a density of less than 102% of  $D_{\min}$ ,  $D_{\min}$  being the lowest density attainable by the polyester.

Please cancel claims 2-10.

Please add new claims 11-26.

11. The composition of claim 1 wherein the polyhydroxyalkanoate polyester forms particles which fuse at ambient temperatures.

12. The composition of claim 1 wherein the polyhydroxyalkanoate polyester comprises a copolymer of between 60 and 100 mole% 3-hydroxybutyrate and between 0 and 40 mole% 3-hydroxyvalerate.

13. The composition of claim 1 further comprising other film-forming polymers.

14. The composition of claim 13 wherein the film-forming polymers are obtained from monomers obtained from petroleum or vegetable oil feedstocks and which are present in an amount of up to 95 wt% of the combined weights of the film-forming polymer and the hydroxyalkanoate polyester.

AB ~~Sum B1~~ 15. The composition of claim 1 wherein the polyhydroxyalkanoate polyesters comprise monomers with high minimum film-forming temperatures and monomers with low minimum film-forming temperatures.

16. The composition of claim 15 wherein the high film-forming temperature monomers are selected from the group consisting of carboxylic acids, non-acidic monomers, fumaric anhydrides, and maleic anhydrides.

17. The composition of claim 15 wherein the low film-forming temperature monomers are selected from the group consisting of ethyl acrylate, 2-ethyl acrylate, methyl acrylate, butyl acrylate, and vinyl esters of branched chain acids.

18. The composition of claim 1 further comprising a pigment.

19. A method of coating a structure comprising applying an aqueous film-forming coating composition comprising a polyhydroxyalkanoate polyester, wherein the composition forms a water-resistant film at ambient temperatures and at least 60% of the polyester particles have a density of less than 102%  $D_{min}$ ,  $D_{min}$  being the lowest density attainable by the polyester.

20. The method of claim 19 wherein the polyhydroxyalkanoate polyester forms particles which fuse at ambient temperatures.

21. The method of claim 19 wherein the polyhydroxyalkanoate polyester comprises a copolymer of between 60 and 100 mole% 3-hydroxybutyrate and between 0 and 40 mole% 3-hydroxyvalerate.

~~Sum B2~~ 22. The method of claim 19 wherein the polyesters comprise monomers with high